

Courts Charter - The Probate Service

This leaflet sets out the standard of service you can expect from any Probate Registry in England and Wales. We have set these standards after talking to people who have used the Probate Service. We aim to provide an excellent, courteous service and when you come to any registry you can expect fair and equal treatment, no matter what your age, ethnic origin, sexual orientation, disability, gender or religious beliefs.

This Charter is about the administration of the probate registry and not the decisions made by registrars. You may be able to appeal if you are unhappy about the outcome of your case. If you want to do so you should get legal advice.

Please note that registry office staff are unable to give legal advice to customers.

If you are coming to a probate registry

The public counter is usually open from 9:30am to 4pm (please check with your local registry). Counters in the Principal Registry of the Family Division are open from 10am to 4:30pm.

Please note that smoking is strictly prohibited in any part of our buildings.

When you come to a registry you will find:

- courteous, polite, helpful staff wearing identity badges;
- clear signs to help you find your way around;
- information leaflets on display;
- a notice giving the details of the Customer Service Officer or Registry Manager who will be pleased to help you with any special needs, suggestions or complaints.

If you have a disability and need help at your probate hearing, please let us know in advance by speaking to the Customer Service Officer or Registry Manager who will tell you how we can help you. We do not provide foreign language interpreters, but our staff will tell you who you may contact if you need an interpreter.

When you go to the public counter or enquiry point we will:

- respect your privacy;
- talk to you out of the hearing of other members of the public, if you prefer;
- use simple clear language and ensure all technical terms are explained;
- attend to your enquiry within 10 minutes or explain the delay if you have to wait longer.

You can contact us by phone Monday to Friday, between 9am and 5pm and we will:

- answer the phone promptly and helpfully;
- give the name of the person you are speaking to;
- give you a clear and helpful answer.

When you write to the probate registry, and we need to reply, we will:

- write to you or phone you within 10 working days of receiving your letter;
- tell you who is writing and provide a phone number to contact them if you wish.

Getting probate

When a person dies, somebody has to deal with their *estate* (the money, property and possessions left) by: collecting all the money, paying any debts, and sharing out the estate between those entitled to it.

The probate registry sends out a legal document called a *grant of representation* that allows one or more people to deal with the estate. This is often called *getting probate*.

When you apply for a *grant of representation* we will:

- tell you the date of your interview within 10 working days from when we receive your completed forms, or write to you within 10 working days regarding any queries on your forms;
- send you the *grant of representation* within 8 weeks (the majority are sent within 4 weeks).

If we have to change your appointment, we will tell you as soon as possible.

Searching our records and getting documents

If you search our records at the Principal Registry and find an entry for the person who has died, we will, for a fee:

- arrange for you to receive a copy of the will or grant of representation on the same day if you ask to do so before 3pm that day;
- send you a copy of the documents, or let you collect them, within 3 working days from when you applied for them.

We will carry out a search for you if you write to:

York Probate Sub-Registry,
1st Floor,
Castle Chambers,
Clifford Street,
York YO1 9RG

Telephone: 01904 666 777
Fax: 01904 666 776

You will need to give details of the person who has died and pay the appropriate fee. If we find the entry you are looking for, we will send you a copy of the document you requested within 21 working days from when you asked for it.

You can get more information about searching our records and getting documents by looking on our website at:

www.hmcourts-service.gov.uk

If you are involved in a contested probate case in the Chancery Division of the High Court, you will need to contact them at:

Chancery Division,
Royal Courts of Justice,
Strand,
London WC2 2LL

Telephone: 020 7947 6000
Fax: 020 7947 7422

To find out more

You can get more information about our probate service and also ask us to send you specialist probate leaflets by contacting one of the 12 district probate registries throughout England and Wales. The details are as follows:

Birmingham District Probate Registry

The Priory Courts,
33 Bull Street,
Birmingham B4 6DU

Tel: 0121 681 3400/3414

Brighton District Probate Registry

William Street,
Brighton,
BN2 2LG

Tel: 01273 573510

Bristol District Probate Registry

Ground Floor, The Crescent Centre,
Temple Back,
Bristol BS1 6EP

Tel: 0117 927 3915/926 4619

Cardiff

Probate Registry of Wales,
PO Box 474,
2 Park Street,
Cardiff CF10 1TB

Tel: 02920 376479

Ipswich District Probate Registry

Ground Floor,
8 Arcade Street,
Ipswich IP1 1EJ

Tel: 01473 284260

Leeds District Probate Registry

3rd Floor,
Coronet House,
Queen Street,
Leeds LS1 2BA

Tel: 0113 386 3540

Liverpool District Probate Registry

The Queen Elizabeth II Law Courts,
Derby Square,
Liverpool L2 1XA

Tel: 0151 236 8264

London

Probate Department,
Principal Registry of the Family Division,
First Avenue House,
42-49 High Holborn,
London WC1V 6NP

Tel: 020 7947 6939

Manchester District Probate Registry

Manchester Civil Justice Centre,
Ground Floor,
1 Bridge Street West,
PO Box 4240,
Manchester M60 1WJ

Tel: 0161 240 5700

Newcastle-Upon-Tyne District Probate Registry

No 1 Waterloo Square,
Newcastle upon Tyne,
NE1 4AL

Tel: 0191 211 2170

Oxford District Probate Registry

Combined Court Building,
St. Aldates,
Oxford OX1 1LY

Tel: 01865 793055

Winchester District Probate Registry

4th Floor,
Cromwell House,
Andover Road,
Winchester SO23 7EW

Tel: 01962 897029

or alternatively by looking on our website at:

www.hmcourts-service.gov.uk/cms/wills.htm

For general advice on applying for probate in England and Wales you can contact the Probate and Inheritance Tax Helpline, which is open from 9.00am to 5.00pm, Monday to Friday:

Tel: 0845 30 20 900

Fax: 0115 974 2432

Community Legal Service

CLS Direct, a free government funded service, will provide information on where you can obtain the type of legal advice you need.

Telephone: 0845 345 4345

website: www.clsdirect.org.uk

Listening to you

We welcome your comments and suggestions on how we could improve our service to you. We do this by:

- inviting you to fill in comment cards;
- carrying out local surveys;
- paying attention to all comments, complaints and suggestions;
- displaying information about our performance;
- displaying details in office waiting areas of complaints and suggestions and what we have done to make improvements as a result of your feedback;
- displaying results of local surveys and changes we have made because of them.

If you have a complaint, please tell us as soon as possible and we will do our best to sort out the problem there and then. If you are still not happy, you can speak to the Customer Service Officer or Probate Registry Manager. If you prefer, you can write to the Probate Manager of the registry in question.

We aim to resolve and respond to the complaint, giving you a full answer within 5 working days of receipt.

A leaflet called “I want to complain – what should I do”, is available in every office. For more information please ask one of the registry staff or visit our website at:

www.hmcourts-service.gov.uk

We welcome suggestions and compliments too.

Whilst we can investigate complaints about the personal conduct of a judge or probate registrar we cannot investigate anything to do with their judgment, their assessment of a case or overturn any of their decisions.

Information about how to make a complaint about the personal conduct of judges is available on the web:

www.judicialcomplaints.gov.uk

Such complaints may be sent in writing to:

Office for Judicial Complaints (OJC),
4th Floor,
Clive House,
70 Petty France,
London SW1H 9HD

Telephone 020 7189 2927
Fax 020 7189 2936

Complaints about the personal conduct of probate registrars should be sent in writing to:

The Director of the Probate Service,
Room 8.13 Thomas More Building,
Royal Courts of Justice,
The Strand,
London WC2A 2LL

Telephone 020 7947 7389
Fax 020 7947 6709

Letters of complaint about a judge or probate registrar should include the name of the judge or registrar and court or probate registry, the name of the deceased together with the specific details of the conduct about which you are complaining.

Although we cannot look into complaints about solicitors, barristers or any other organisation, you may find the following addresses useful:

Solicitors

Consumer Complaints Service,
The Law Society,
Victoria Court,
8 Dormer Place,
Leamington Spa,
Warwickshire CV32 5AE

Helpline: 0845 608 6565
Textphone: 0845 601 1682
Fax: 01926 431435
email: enquiries@lawsociety.org.uk
website: www.oss.lawsociety.org.uk

Barristers

If you would like a complaint form please write to:

The Complaints Department,
The General Council of the Bar,
Northumberland House,
289-293 High Holborn,
London WC1V 7HZ

Telephone: 020 7242 0082
Fax: 020 7611 1342
email: complaints@barcouncil.org.uk
website: www.barcouncil.org.uk